

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MAR 19 2007

DAVID J. MALAND, CLERK
BY
DEPUTY _____

MIGUEL GODINEZ §
VS. § CIVIL ACTION NO. 4:03cv481
UNITED STATES OF AMERICA §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Movant Miguel Godinez, a federal prisoner, proceeding *pro se*, brought this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

The court heretofore referred this matter to the Honorable Don D. Bush, United States Magistrate Judge, at Sherman, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be denied and dismissed.

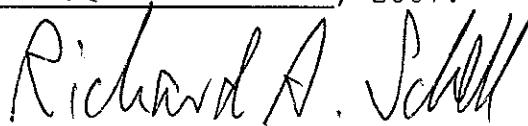
The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate

judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 19th day of March, 2007.

A handwritten signature in cursive script, reading "Richard A. Schell". The signature is written in dark ink and is positioned above the printed name and title.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE